

REMARKS

Claims 3-8 and 10 are pending in this application, of which claims 3-8 and 10 have been amended. Claims 1-2, 9 and 11-12 have been canceled. No new claims have been added.

Claims 1-3 and 5-7 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Publication 2002/0015255 to Tadepalli et al. (hereafter, "Tadepalli et al.").

Applicant respectfully traverses this rejection.

Claim 3, as amended, recites an "airflow guiding surface" and a "dust catcher." The airflow guiding surface faces the recording disk at a location outside a shroud surface. The airflow guiding surface is designed to define a space adjacent the recording disk. The airflow which collides against the rectifier plate is allowed to smoothly flow into the space between the recording disk and the airflow guiding surface. This serves to prevent generation of turbulence. Moreover, a dust catcher is located within the space in the path of the airflow. The dust catcher thus catches dust in an efficient manner.

On the other hand, Tadepalli et al. discloses a shroud surface 158. Tadepalli et al. fails to teach, mention or suggest accumulation of dust between the shroud surface 158 and the fin 160, although the Examiner urges that the corner between the surfaces 158 and 160 will be a point of dust accumulation.

Applicant notes that the Examiner provides no evidence or support for this assertion.

Tadepalli et al. fails to teach, mention or suggest that the airflow colliding against the vane is guided into the corner between the shroud surface 158 and the fin 160. The airflow is supposed

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to flow into a corner between the vane 142 and the shroud surface 158. The airflow is also supposed to flow through a space between the recording disk and the shaft 146 supporting the vanes 142 in the direction 111 of the rotation of the recording disk.

Thus, the 35 U.S.C. § 102(e) rejection should be withdrawn.

Claims 1-12 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as unpatentable over claims 1-19 of copending U.S. Application S.N. 10/716,883.

Applicant respectfully traverses this rejection.

Claim 3, as amended, recites an “airflow guiding surface” and a “dust catcher” as described above. Likewise, claim 10, as amended, recites a “dust catcher” incorporated between the adjacent ones of the rectifier plates. Thus, the invention defined in claims 3 and 10, as amended, is completely different from the invention of the co-pending application.

Thus, the rejection should be withdrawn.

The Examiner has indicated that claims 9-10 are allowable.

In view of the aforementioned amendments and accompanying remarks, claims 3-8 and 10, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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